

FORM PTO-1390  
(Rev 5-93)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

LORWER P30AUS

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 C.F.R.1.5)

10/501447

INTERNATIONAL APPLICATION NO.

PCT/EP2003/000211

INTERNATIONAL FILING DATE

January 11, 2003

PRIORITY DATE CLAIMED

January 15, 2002

TITLE OF INVENTION

## A DEVICE FOR RAISING OR CULTIVATING CELLS IN A CONTAINER-LIKE RECEPTACLE

APPLICANT(S) FOR DO/EO/US

Augustinus BADER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau. (PCT/IB/308 mailed)
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ The International Application, with paragraph numbering added thereto, is attached.
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An UNSIGNED oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98 with PTO/SB/08A/08B.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification w/Marked-Up Version of Amended Specification.
15. ☐ A change of power of attorney and/or address letter.

16. ☒ Other items or information:

- ☒ Preliminary Examination Report
- ☒ Annexes to Pre. Ex. Rep.
- ☒ International Search Report
- ☐ German Novelty Search Report
- ☐ \_\_\_ copies of citations
- ☒ Form PCT/IB/308
- ☒ International Publ. No. **WO 2003/060055 A3** (Face page only)

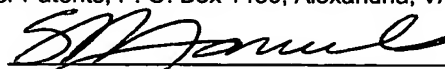
- ☒ Copy of Request
- ☒ Submission of Formal Drawings
- ☒ 7 sheets of formal drawings
- ☒ Abstract
- ☒ Applicant Claims Small Entity Status
- ☐ Copy of Notification of File Missing Parts
- ☐ German Language Specification

## CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter and the papers indicated as being transmitted therewith is being deposited with the United States Postal Service on this date **July 13, 2004** in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EV 544786482 US** addressed to the: Mail Stop PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Scott A. Daniels

(typed or printed name of person mailing paper)

  
(signature of person mailing paper)

<b>17. ■ The following fees are submitted:</b>  <b>Basic National Fee (37 CFR 1.492(a)(5):</b> Search Report has been prepared by the EPO or JPO ..... \$920.00  International preliminary examination fee paid to USPTO (37 CFR 1.492)(a)(1) .. \$730.00  No international preliminary examination fee paid to USPTO (37 CFR 1.492)(a)(2) but international search fee paid to USPTO (37 CFR 1.445(a)(2)). ..... \$700.00  Neither international preliminary examination fee (37 CFR 1.492)(a)(3) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$1080.00  International preliminary examination fee paid to USPTO (37 CFR 1.492)(a)(4) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00 <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				CALCULATIONS  <b>DT11 Rec'd PCT/PTO 13 JUL 2004</b>		PTO USE ONLY	
				920			
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				0			
Claims	Number Filed	Number Extra	Rate				
Total Claims	38 -20 =	18	x \$18.00	324			
Independent Claims	1 - 3 =	0	x \$86.00	0			
Multiple dependent claim(s) (if applicable)			+ \$290.00	0			
<b>TOTAL OF ABOVE CALCULATIONS =</b>				1244			
Reduction by 1/2 for filing by small entity, if applicable. <b>Applicant Claims Small Entity Status.</b> (Note 37 CFR 1.9, 1.27, 1.28).				0			
<b>SUBTOTAL =</b>				622			
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				0			
<b>TOTAL NATIONAL FEE =</b>				<b>520</b>			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				0			
<b>TOTAL FEES ENCLOSED =</b>				622			
				Amount to be: refunded	\$		
				charged	\$		

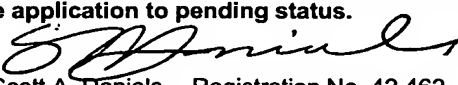
a. ■ A check in the amount of \$ 622.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 04-0213 in the amount of \$ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ■ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to  
Deposit Account No. 04-0213 . A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

  
 Scott A. Daniels -- Registration No. 42,462  
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7/13/04

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Augustinus BADER  
Serial no. :  
For : A DEVICE FOR RAISING OR CULTIVATING  
CELLS IN A CONTAINER-LIKE RECEPTACLE  
Docket : LORWER P30AUS

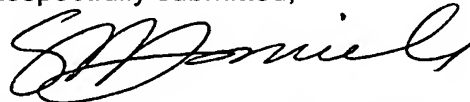
MAIL STOP PCT  
The Commissioner for Patents  
U.S. Patent & Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

**SUBMISSION OF FORMAL DRAWINGS**

Enclosed please find seven (7) sheets of formal drawings which are to be entered in this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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